

gotiated between the United States and the foreign government.

(14) Organic plan

The term “organic plan” means a plan of management of an organic farming or handling operation that has been agreed to by the producer or handler and the certifying agent and that includes written plans concerning all aspects of agricultural production or handling described in this chapter including crop rotation and other practices as required under this chapter.

(15) Organically produced

The term “organically produced” means an agricultural product that is produced and handled in accordance with this chapter.

(16) Person

The term “person” means an individual, group of individuals, corporation, association, organization, cooperative, or other entity.

(17) Pesticide

The term “pesticide” means any substance which alone, in chemical combination, or in any formulation with one or more substances, is defined as a pesticide in the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.).

(18) Processing

The term “processing” means cooking, baking, heating, drying, mixing, grinding, churning, separating, extracting, cutting, fermenting, eviscerating, preserving, dehydrating, freezing, or otherwise manufacturing, and includes the packaging, canning, jarring, or otherwise enclosing food in a container.

(19) Producer

The term “producer” means a person who engages in the business of growing or producing food or feed.

(20) Secretary

The term “Secretary” means the Secretary of Agriculture.

(21) State organic certification program

The term “State organic certification program” means a program that meets the requirements of section 6506 of this title, is approved by the Secretary, and that is designed to ensure that a product that is sold or labeled as “organically produced” under this chapter is produced and handled using organic methods.

(22) Synthetic

The term “synthetic” means a substance that is formulated or manufactured by a chemical process or by a process that chemically changes a substance extracted from naturally occurring plant, animal, or mineral sources, except that such term shall not apply to substances created by naturally occurring biological processes.

(Pub. L. 101-624, title XXI, §2103, Nov. 28, 1990, 104 Stat. 3935; Pub. L. 115-334, title X, §10104(b), Dec. 20, 2018, 132 Stat. 4899.)

REFERENCES IN TEXT

The Federal Insecticide, Fungicide, and Rodenticide Act, referred to in par. (17), is act June 25, 1947, ch. 125,

as amended generally by Pub. L. 92-516, Oct. 21, 1972, 86 Stat. 973, which is classified generally to subchapter II (§136 et seq.) of chapter 6 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 136 of this title and Tables.

AMENDMENTS

2018—Par. (3). Pub. L. 115-334, §10104(b)(1), designated existing provisions as subpar. (A), inserted heading, and added subpar. (B).

Pars. (13) to (22). Pub. L. 115-334, §10104(b)(2), (3), added par. (13) and redesignated former pars. (13) to (21) as (14) to (22), respectively.

§ 6503. National organic production program

(a) In general

The Secretary shall establish an organic certification program for producers and handlers of agricultural products that have been produced using organic methods as provided for in this chapter.

(b) State program

In establishing the program under subsection (a), the Secretary shall permit each State to implement a State organic certification program for producers and handlers of agricultural products that have been produced using organic methods as provided for in this chapter.

(c) Consultation

In developing the program under subsection (a), and the National List under section 6517 of this title, the Secretary shall consult with the National Organic Standards Board established under section 6518 of this title.

(d) Certification

The Secretary shall implement the program established under subsection (a) through certifying agents. Such certifying agents may certify a farm or handling operation that meets the requirements of this chapter and the requirements of the organic certification program of the State (if applicable) as an organically certified farm or handling operation.

(Pub. L. 101-624, title XXI, §2104, Nov. 28, 1990, 104 Stat. 3937.)

EXCLUSIONS FROM ORGANIC CERTIFICATION

Pub. L. 115-334, title X, §10104(a), Dec. 20, 2018, 132 Stat. 4899, provided that: “Not later than 1 year after the date of enactment of this Act [Dec. 20, 2018], the Secretary [of Agriculture] shall issue regulations to limit the type of organic operations that are excluded from certification under section 205.101 of title 7, Code of Federal Regulations, and from certification under any other related sections under part 205 of title 7, Code of Federal Regulations.”

§ 6504. National standards for organic production

To be sold or labeled as an organically produced agricultural product under this chapter, an agricultural product shall—

(1) have been produced and handled without the use of synthetic chemicals, except as otherwise provided in this chapter;

(2) except as otherwise provided in this chapter and excluding livestock, not be produced on land to which any prohibited substances, including synthetic chemicals, have been applied during the 3 years immediately preceding the harvest of the agricultural products; and